

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF
NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office JUL 24 2000

Returned to applicant for correction _____

Corrected application filed _____

Map filed AUG 11 2000

The applicant **L.B. Acquisition, LLC**, a Nevada limited liability company, hereby makes application for permission to change the **Manner and Place of Use of a Portion** of water heretofore appropriated under **Permit 18198, Certificate 6278**

1. The source of water is **Musgrove (Muskgrove) Creek**
2. The amount of water to be changed **2.0452 CFS, not to exceed 572.54 Acre-feet**
3. The water to be used for **Recreational (Golf Course Irrigation)**
4. The water heretofore permitted for **Irrigation and Domestic**
5. The water is to be diverted at the following point **SW¼ NE¼ Section 22, T. 16N., R. 19E., M.D.B.&M.; or at a point from which the ¼ corner common to Sections 22 and 23, T. 16N., R. 19E., M.D.B.&M., bears S. 67° 43' 20" E., a distance of 2,065.67 feet.**
6. The existing permitted point of diversion is located within **Unchanged**
7. Proposed place of use **See Attachment "A"**
8. Existing place of use **See Attachment "B"**
9. Use will be from **January 1 to December 31** of each year.
10. Use was permitted from **March 1 to September 30** of each year.
11. Description of proposed works **Existing diversion structure across Musgrove Creek.**
12. Estimated cost of works **\$25,000.00**
13. Estimated time required to construct works **Two (2) Years to rebuild diversion structure**
14. Estimated time required to complete the application of water to beneficial use **Four (4) Years**
15. Remarks: **This application to change a portion of Permit 18198 is being filed to provide water for the Thunder Canyon Golf Course. Water is to be co-mingled with waters under portions of Permits 20648, 23287, 30579, 30581, 35554, 50071 & 50072 on 171.13 Acres.**

By Gregory M. Bilyeu
s/ Gregory M. Bilyeu
P.O. Box 70458
Reno, NV 89570

Compared pe/ cmf lb/cmf

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the place of use and manner of use of a portion of the waters of Musgrove Creek as heretofore granted under Permit 18198, Certificate 6278 is issued subject to the terms and conditions imposed in said Permit 18198, Certificate 6278 and with the understanding that no other rights on the source will be affected by the change proposed herein. A measuring device must be installed and measurements of water use kept

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

Measuring devices at locations approved by the State Engineer shall be installed and maintained to determine the amount of water being placed to beneficial use under Permits 66605, 66606, 66607, 66608, 66609, 66610, 66611, and 66612.

A monthly report shall be submitted to the State Engineer within 10 days from the end of each month which shall include the amount of water diverted and the amount of water used.

The total combined duty of water under Permits 66605, 66606, 66607, 66608, 66609, 66610, 66611, and 66612 shall not exceed 717.75 acre feet annually.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 2.0452 cubic feet per second, but not to exceed 572.54 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before:

February 11, 2005

Proof of completion of work shall be filed on or before:

March 11, 2005

Water must be placed to beneficial use on or before:

February 11, 2007

Proof of the application of water to beneficial use shall be filed on or before:

March 11, 2007

Map in support of proof of beneficial use shall be filed on or before:

March 11, 2007

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 11th day of February, A.D. 2003


State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____